

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 10-00244-01-CR-W-DW
)	
EDWARD BAGLEY, SR.,)	
)	
Defendants.)	

ORDER

Pending before the Court is Magistrate Judge Larsen's Report and Recommendation. See Doc. 256. The Government filed a response to the Report and Recommendation. See Doc. 278. After reviewing the record, the Court ADOPTS Magistrate Judge Larsen's Report and Recommendation (Doc. 256). Consequently, it is hereby

ORDERED that within thirty (30) days from the date of this Order, the Government's counsel shall marshal the information in the Dietz Report in a detailed written form so that the Court and the remaining Defendants for trial know: (1) the issue to which each opinion is addressed; (2) the doctor's specific opinion to be given at trial; (3) the doctor's specific credentials qualifying him to render such an opinion; (4) the admissible facts upon which the doctor's opinion is based; (5) if any of the underlying facts for the doctor's opinion are inadmissible, how they are the type reasonably relied upon by experts in the field; (6) how the doctor's proposed opinion will assist the jury in resolving the issue in dispute; and (7) any cautionary or limiting instructions that the Government suggests that the Court give to deal with potentially prejudicial testimony. Although Dr. Dietz's input may be required, the Court expects counsel for the Government, and not Dr.Dietz, to complete this written report; it is further

ORDERED that within twenty (20) days after the Government files its written report in the approved form, the Government and the remaining Defendants for trial shall file any motions in

limine or supplementary materials dealing with the admissibility of Dr. Dietz's testimony as set forth in the new format; it is further

ORDERED that any response to a motion in limine or supplementary materials shall be filed within fourteen (14) days after the motion in limine or supplementary materials are filed; it is further

ORDERED that the Court will take under advisement the Defendant's request for funding for a psychiatrist to review Dr. Dietz's report. Once the Court issues rulings on the admissibility of the evidence the Government intends to offer through Dr. Dietz, it will be in a position to determine whether approval for Defendant's requested funding should be sought from the Court of Appeals; it is further

ORDERED that although the trial date has been continued following the issuance of the Report and Recommendation, any requested extension of the foregoing deadlines will not be granted absent a showing of extraordinary circumstances; it is further

ORDERED that the Magistrate's Report and Recommendation (Doc. 256) be attached to and made a part of this Order.

IT IS SO ORDERED.

Date: February 8, 2012

/s/ Dean Whipple
Dean Whipple
United States District Judge